

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 2<sup>nd</sup> day of March, 2009 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor  
Jay Attaway, Mayor Pro Tempore  
Frank Hametner, Council Member  
Karen Mayer, Council Member  
Vickie Abrego, Council Member

ABSENT:

ADMINISTRATIVE  
PERSONNEL PRESENT: K. M. Hubert, City Manager  
Allen Lawrence, City Attorney  
Ada Owens, City Secretary

ADMINISTRATIVE  
PERSONNEL ABSENT:

STAFF PRESENT: Darrell Jones, Police Chief  
Rickie Kilgore, Fire Chief  
Frank Truitt, City Inspector  
Don Brummett, Acting Public Works Director

OTHERS PRESENT: Jim & Alpha Covington, Phil & Nell Reynolds, Jeanie Brummett, George Emmet, Barbara Oxford, Caroline & James Raske, Don & Nancy Schoenfeld, Harlan & Elizabeth Roberts, Jo Ann Biek, Carol Salinas, Gary & Joanne McRae, Jane Doss, Alan Briggs, Phillip Hyatt, Madalene Robertson, Kerri Robertson, Jeanne & Randy Hunter, Eva Young, Robert Stoddard, Patty Gilden, Stephanie Jimenez, Budd & Judith Edwardson

*There may have been others present who did not sign in.*

**ITEM 1. CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 p.m. on March 2, 2009.

**ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Council Member Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

**ITEM 3. APPROVAL OF MINUTES OF FEBRUARY 16, 2009.**

Council Member Mayer made the motion to approve the minutes of February 16, 2009. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

**ITEM 4. CONSIDER AND ACT ON REQUEST OF NICK MIRKOVICH, DOING BUSINESS AS MIRKOVICH, INC., TO TERMINATE HIS HARBOR LEASE FOR LOT 62, BLOCK “R”, CONN BROWN HARBOR, AND GIVE OWNERSHIP OF THE STRUCTURE(S) ON THE PROPERTY TO THE CITY OF ARANSAS PASS.**

After a short discussion Council Member Hametner made the motion to approve the request of Nick Mirkovich, doing business as Mirkovich, Inc., to terminate his Harbor Lease for Lot 62, Block “R”, Conn Brown Harbor, and give ownership of the structure(s) on the property to the City of Aransas Pass. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

**ITEM 5. CONSIDER AND ACT ON A FACILITY LEASE AGREEMENT BETWEEN THE CITY OF ARANSAS PASS AND THE ARANSAS PASS LITTLE LEAGUE ASSOCIATION.**

After discussion, Mayor Knight and City Attorney Allen Lawrence agreed the lease was the same as prior years’ leases.

Council Member Hametner made the motion to approve a facility lease agreement

between the City of Aransas Pass and the Aransas Pass Little League Association. Council Member Mayer seconded the motion and the motion carried unanimously.

**ITEM 6.**        **CONSIDER AND ACT ON REQUEST OF SAMUEL ROBERTSON, JR., DOING BUSINESS AS PIER PRESSURE CONSTRUCTION, TO LEASE A BUILDING AND WATERFRONT PROPERTY IN CONN BROWN HARBOR.**

Mayor Knight stated Mr. Robertson asked for the old Sea Horse Diesel building, but Mr. Robertson wanted the old Gulf Coast Diesel building, so he would suggest passing on this item.

No action was taken.

**ITEM 7.**        **CONSIDER AND ACT ON AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE ARANSAS PASS MUNICIPAL DEVELOPMENT DISTRICT (APMDD) AND THE CITY OF ARANSAS PASS, TEXAS RELATING TO FURNISHING SECRETARIAL, RECORDKEEPING, AND BOOKKEEPING SERVICES BY THE CITY OF ARANSAS PASS TO THE APMDD.**

The City Attorney stated this was just a housekeeping item, but for future reference the agreement was needed.

Council Member Hametner made the motion to approve an Interlocal Cooperative Agreement between the Aransas Pass Municipal Development District and the City of Aransas Pass, Texas relating to furnishing secretarial, recordkeeping, and bookkeeping services by the City of Aransas Pass to the APMDD. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

**ITEM 8.**        **CONSIDER AND ACT ON APPROVING TEAL CONSTRUCTION'S PAY APPLICATION NO. 13 (CIVIC CENTER).**

Council Member Abrego made the motion to approve Teal Construction's Pay Application No. 13 for the Civic Center. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

**ITEM 9.**        **CONSIDER AND ACT ON REQUEST OF GARY MCRAE TO PAVE MCCLUNG AVENUE.**

Gary McRae stated he had lived at 1670 W. McClung Avenue for 16 years. He stated he had been told several times that McClung would be paved, but was never paved. He stated the street was made of limestone base and maintained by the Street Department. He asked the Council to put the paving of McClung Avenue from Avenue A to Twelfth Street in the next City budget.

Mayor Knight explained that street assessments were used to pave streets in the past. He stated if Mr. McRae could get the property owners on each side of the street to agree to pay 1/3 of the cost then the City would pay 1/3 to have the street paved in the next budget.

Mayor Knight requested the City Manager contact the San Patricio County Commissioner for help in paving McClung Avenue.

Discussion was held regarding growth on McClung Avenue.

No action taken.

**ITEM 10.**       **CONSIDER AND ACT ON AUTHORIZING TAX RESALES:**

Mayor Knight stated the Council had agreed that the City would buy any property between Wilson and Stapp Street and from the railroad to the seawall. He stated the City wanted to have the other tax entities to sign off on the property so the City could keep the property. He stated the City owns property in the area and he did not think the City should be selling the lots in a tax sale.

The consensus of the Council was to agree with Mayor Knight.

Mayor Pro Tempore Attaway made the motion to deny the tax resale of properties A through I. Council Member Abrego seconded the motion and the motion carried unanimously.

Discussion was held on item L as to the proposed use of the property (youth boxing club), the difference in the bid and back taxes owed, and the street assessment owed to the City, which the bidder agreed to pay.

	BIDDER	LOCATION	LEGAL DESCRIPTION
A	Dale Kennard	600 Block N. Railroad	Lt 30-32, Blk 596
B	Elizabeth Power	700 Block N. Railroad	Lt 23-31, Blk 597
C	Roger Baresh	Between Blossom & Myrtle at seawall	Lt 1, Blk 598
D	Roger Baresh	Between Blossom & Myrtle at seawall	Lt 7, Blk 598
E	Roger Baresh	600 Block N. Pacific	Lt 24-26, Blk 616
F	Dale Kennard	500 Block N. Pacific	Lt 24 & 27, Blk 617
G	Roger Baresh	400 Block N. Railroad	Lt 10-11, Blk 618
H	Roger Baresh	400 Block N. Pacific	Lt 26 & 28, Blk 618
I	Dale Kennard	300 Block N. Pacific	Lt 28-29, Blk 619
Discussion was held on Item L as to the planned use of the property as a boxing club for children.			
J	Pedro Elizondo	600 Block N. 12th	Lt 10, Blk 746
Council member Hametner made the motion to accept the bid of \$2,000.00 from Pedro Elizondo for Lot 10, Block 746. Council Member Abrego seconded the motion and the motion carried unanimously.			
K	Hector Rivera	300 Block N. 10 <sup>th</sup> & Ireland (corner)	Lt 16, Blk 234
Council Member Mayer made the motion to accept the bid of \$1,800.00 from Hector Rivera for Lot 16, Block 234 with the condition that Mr. Rivera pay the outstanding street assessment due on the property. Council Member Hametner seconded the motion and the motion carried unanimously.			
L	Jason Gilden	500 Block S. Saunders	Lt 13-15, Blk 354
Discussion was held regarding the intended use of the property (youth boxing club), the amount bid on the property, the assessed value of the property and the street assessment Mr. Gilden had agreed to pay.			
Mayor Pro Tempore Attaway made the motion to accept the bid of \$6,169.50 from Jason Gilden for Lots 13-15, Block 354. Council Member Hametner seconded the motion and the motion carried with Mayor Knight, Mayor Pro Tempore Attaway, Council Members Hametner and Mayer voting yes and Council Member Abrego voting no.			
M	Joan Dixon, Broker for Assigns	300 Block N. Commercial	Lt 1, Blk 545
Council Member Hametner made the motion to accept the bid of \$2,962.00 for Lot 1, Block 545 from Joan Dixon. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.			
N	Keith Westfall	700 Block N. 7 <sup>th</sup>	Lt 24, Blk 281
Mayor Pro Tempore Attaway made the motion to accept the bid of \$200.00 for Lot 24, Block 281 from Keith Westfall. Council Member Hametner seconded the motion and the motion carried unanimously.			
O	Joan Dixon, Broker for Assigns	700 Block S. Saunders	Lt 30, Blk 314
Council Member Hametner made the motion to accept the bid of \$300.00 for Lot 30, Block 314 from Joan Dixon. Council Member Abrego seconded the motion and the motion carried unanimously.			

**ITEM 11. CITIZENS' COMMENTS.**

Rudy Abrego, President of the Little League, thanked the City Council for approving the Little League agreement with the City. He stated March 28 was the opening ceremony and 240 children were signed up for Little League this year. He stated Acting Public

